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February 10, 2021

Client/Matter: 12196/13

**Via Electronic Filing**

Clerk, United States District Court  
District of New Jersey  
Clarkson S. Fisher Federal  
Building & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

**RE: Count Basie Theatre Inc. v. Zurich American Insurance Company**  
**Civil Action No. 3:21-cv-00615**

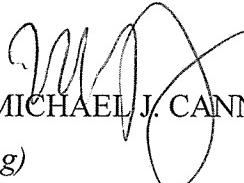
Dear Sir/Madam:

This Firm is counsel to the Plaintiff, Count Basie Theatre, Inc. ("Plaintiff") in the above-referenced matter. We received the Defendant's recently-filed partial dispositive motion to dismiss certain counts of Plaintiff's Complaint pursuant to Fed.R.Civ.P. 12(b)(6) as returnable before the Court for hearing on March 1, 2021. This letter is notice that pursuant to L.Civ.R. 7.1(d)(5), Plaintiff seeks the automatic extension of time to file its opposition to Defendant's motion and have Defendant's motion to be calendared one additional motion cycle to the next available motion day, **March 15, 2021**. The originally notice motion day has not previously been extended or adjourned.

This request is made without prejudice to Plaintiff's February 8, 2021 letter request to Judge Martinotti seeking that the motion for partial dismissal be carried until after the disposition of the Plaintiff's motion to remand which was filed on February 8, 2021.

If you should have any questions in this regard, please do not hesitate to contact the undersigned directly. A copy of this letter is being served on all counsel of record.

Respectfully submitted,

  
MICHAEL J. CANNING

MJC/cmt

cc: Craig R. Rygiel, Esq. (*via Electronic Filing*)